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NOTICE OF ALLOWANCE AND ISSUE FEE DUE

MM92/0424

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/416,839	10/12/99	007	WIGGINS, J	2856 04/24/01
First Named Applicant	EHWALD, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION PROCESS FOR AFFINITY VISCOSIMETRY AND VISCOSIMETRIC AFFINITY SENSOR

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3	EWLD-16.570	073-054.010	F51 UTILITY	YES	\$620.00	07/24/01

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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APPLICATION NUMBER 09/116,839	FILED DATE 10/12/99	FHWA/D	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO. EILD-163570
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WISNIEWSKI, J.
EXAMINER

ART UNIT 2858 PAPER NUMBER

10
04/24/01

DATE MAILED:

This is a communication from the examiner in charge of this application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ This communication is responsive to Amendment B received 03/12/2001.
- ☒ The allowed claim(s) is/are 1-17
- ☒ The drawings filed on 10/12/1999 are acceptable as formal drawings.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

☐ All ☐ Some* ☐ None of the:

☐ Certified copies of the priority documents have been received.

☐ Certified copies of the priority documents have been received in Application No. _____.

☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this notice should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for the Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

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#10/c
OK
4/24/01
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Part III DETAILED ACTION

Part III EXAMINER'S AMENDMENT / REASONS FOR ALLOWANCE

Drawings

1. *This application has been filed with formal drawings, which drawings have been judged acceptable on their technical merit by the Examiner, while also found to meet acceptable quality standards by the US PTO draftsman in a Patent Drawing Review done on 01/06/2000.*

2. Applicant's arguments & amendments filed March 12, 2001 have been fully considered and they were deemed to be quite persuasive & satisfactory in regards to claims 1 and 10 per the issues of both clearing any **Title 35 USC § 112** indefiniteness problems and casting them into an allowable status over all cited prior art of record in this US Patent Application.

3. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

C

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Authorization for this Examiner's amendment was given in a telephone interview with Attorney David E. Bruhn on April 20, 2001.

4. The application has been amended as follows:

ON Page 03, claim 10, line 01 of Amendment B dated 03/12/2001;

after the words "sensor needle" has been inserted the following

text: --- used in performing affinity viscometry ---

Art Unit: 2856

Allowable Subject Matter


5. Claims 1-17 are allowable over the prior art of record.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to J. David Wiggins whose telephone number is (703) 305-4884. The Examiner can normally be reached on Monday to Friday from 9AM to 7PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Hezron E. Williams, can be reached on (703) 305-4705. The fax phone number for this Group is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703) 305-4900.


HEZRON WILLIAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

JDW
WIGGINS\jdw
April 20, 2001

C